

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :03.04.2018

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THE HON'BLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.Nos.33204 & 33205 of 2013

and

M.P.Nos.1 & 1 of 2013

Tamil Nadu Housing Board,
Tholilalar Munnetra Sangam,
Rep.by the General Secretary,
S.Murugan @ Poochi Murugan,
1-1; MIG BLOCK,
Foreshore Estate,
Chennai - 600 028

..Petitioner in both W.Ps

vs

1.The Secretary to the Government of Tamil Nadu
Department of Housing and Urban Development,
Fort St.George,
Chennai - 600 009.

2.The Managing Director,
Tamil Nadu Housing Board,
Nandanam, Chennai - 600 035.

.. Respondents in both W.Ps

Prayer in W.P.No.33204 of 2013: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the 2nd respondent to hold the meetings periodically as contemplated in the Trust Deed and the guidelines made thereunder.

Prayer in W.P.No.33205 of 2013: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the 2nd respondent to hold the meetings periodically as contemplated in the Trust Deed.

For Petitioner(in both W.Ps) : M/s.D.Ravindranathan
For Respondents(in both W.Ps) : Mr.V.Anandhamurthy

C O M M O N O R D E R

The relief sought for in these writ petitions is for a direction to the 2nd respondent to hold the meetings periodically as contemplated in the Trust Deed and the guidelines made

thereunder.

2.The grievance of the writ petitioner is that the General Secretary of the Tamil Nadu Housing Board(Tholilalar Munnetra Sangam) has not permitted to participate in the Trust meetings and the meetings are not conducted periodically as contemplated under the covenants in the Trust Deed. It is needless to state that the conditions stipulated in the Trust Deed must be followed scrupulously by all concerned including the managing trustee and all other trustees.

3.Opportunities to participate in the meetings, to be provided to all the trustees. This being the principles to be followed, this Court is of an opinion that trustees must be given an opportunity to participate in the meetings and the periodical meetings are to be conducted in accordance with the terms and conditions of the Trust Deed. In this regard, for the purpose of conducting periodical meetings of the Trust, the petitioner submitted a representation to the 2nd respondent on 21.05.2012 and the same is yet to be considered. Under these circumstances, the 2nd respondent is directed to consider the representation submitted by the writ petitioners on 21.05.2012 and pass orders on merits and in accordance with law within a period of twelve weeks from the date of receipt of a copy of this order. The writ petitioner is also directed to enclose the copy of the representation and all the relevant documents if any along with the order passed in this writ petition.

4.Accordingly, the writ petition stands disposed of. No costs. Consequently, connected miscellaneous petitions are also closed.

-s/d-

Assistant Registrar(CS-II)

True Copy

Sub-Assistant Registrar

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To

1.The Secretary to the Government of Tamil Nadu
Department of Housing and Urban Development,
Fort St.George,
Chennai - 600 009.

2.The Managing Director,
Tamil Nadu Housing Board,
Nandanam, Chennai - 600 035.

+2 Ccs to Mr.V. Anandhamurthy, Advocate sr 24503.
+2 Ccs to Mr.D. Ravindranathan, advocate sr 24716, 24717.

W.P.Nos.33204 & 33205 of 2013

SP(16/04/2018)



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